

Senate File 84 - Introduced

SENATE FILE _____
BY ZIEMAN, JOHNSON, SEYMOUR,
HARTSUCH, MULDER, WIECK,
BOETTGER, ZAUN, McKINLEY,
NOBLE, PUTNEY, GASKILL, BEHN,
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KETTERING, and ANGELO

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring voters to provide certain identification when
2 voting in person at the polling place.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1782XS 82
5 sc/gg/14

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1 1 Section 1. Section 48A.8, Code 2007, is amended by
1 2 striking the section and inserting in lieu thereof the
1 3 following:
1 4 48A.8 REGISTRATION BY MAIL.
1 5 An eligible elector may register to vote by completing a
1 6 mail registration form. The completed form may be mailed or
1 7 delivered by the registrant or the registrant's designee to
1 8 the commissioner in the county where the person resides. A
1 9 separate registration form shall be signed by each individual
1 10 registrant.
1 11 Sec. 2. Section 48A.26, subsection 2, Code 2007, is
1 12 amended to read as follows:
1 13 2. If the registration form appears on its face to be
1 14 complete and proper, the acknowledgment shall state that the
1 15 registrant is now a registered voter of the county. The
1 16 acknowledgment shall also specify the name of the precinct and
1 17 the usual polling place for the precinct in which the person
1 18 is now registered. The acknowledgment shall include a
1 19 statement informing the registered voter that the voter is
1 20 required to show valid and current identification before the
1 21 person will be allowed to vote, and that the identification
1 22 must contain a photograph of the voter, the printed name of
1 23 the voter, and a validity expiration date. The acknowledgment
1 24 may include the political party affiliation most recently
1 25 recorded by the registrant.
1 26 Sec. 3. Section 48A.27, subsection 4, paragraph c,
1 27 unnumbered paragraph 2, Code 2007, is amended to read as
1 28 follows:
1 29 The notice shall be sent by forwardable mail, and shall
1 30 include a postage paid preaddressed return card on which the
1 31 registered voter may state the registered voter's current
1 32 address. The notice shall contain a statement in
1 33 substantially the following form: "Information received from
1 34 the United States postal service indicates that you are no
1 35 longer a resident of, and therefore not eligible to vote in
2 1 (name of county) County, Iowa. If this information is not
2 2 correct, and you still live in (name of county) County, please
2 3 complete and mail the attached postage paid card at least ten
2 4 days before the primary or general election and at least
2 5 eleven days before any other election at which you wish to
2 6 vote. If the information is correct and you have moved,
2 7 please contact a local official in your new area for
2 8 assistance in registering there. If you do not mail in the
2 9 card, you may be required to show identification to prove
2 10 residency before being allowed to vote in (name of county)
2 11 County. If you do not return the card, and you do not vote in
2 12 an election in (name of county) County, Iowa, on or before
2 13 (date of second general election following the date of the
2 14 notice) your name will be removed from the list of voters in
2 15 that county. To ensure you receive this notice, it is being

2 16 sent to both your most recent registration address and to your
2 17 new address as reported by the postal service."
2 18 Sec. 4. Section 48A.29, subsection 1, unnumbered paragraph
2 19 2, Code 2007, is amended to read as follows:
2 20 The notice shall be sent by forwardable mail, and shall
2 21 include a postage paid preaddressed return card on which the
2 22 registered voter may state the registered voter's current
2 23 address. The notice shall contain a statement in
2 24 substantially the following form: "Information received from
2 25 the United States postal service indicates that you are no
2 26 longer a resident of (residence address) in (name of county)
2 27 County, Iowa. If this information is not correct, and you
2 28 still live in (name of county) County, please complete and
2 29 mail the attached postage paid card at least ten days before
2 30 the primary or general election and at least eleven days
2 31 before any other election at which you wish to vote. If the
2 32 information is correct, and you have moved, please contact a
2 33 local official in your new area for assistance in registering
2 34 there. If you do not mail in the card, you may be required to
2 35 show identification to prove residency before being allowed to
3 1 vote in (name of county) County. If you do not return the
3 2 card, and you do not vote in some election in (name of county)
3 3 County, Iowa, on or before (date of second general election
3 4 following the date of the notice) your name will be removed
3 5 from the list of voters in that county."
3 6 Sec. 5. Section 48A.29, subsection 3, unnumbered paragraph
3 7 2, Code 2007, is amended to read as follows:
3 8 The notice shall be sent by forwardable mail, and shall
3 9 include a postage paid preaddressed return card on which the
3 10 registered voter may state the registered voter's current
3 11 address. The notice shall contain a statement in
3 12 substantially the following form: "Information received by
3 13 this office indicates that you are no longer a resident of
3 14 (residence address) in (name of county) County, Iowa. If the
3 15 information is not correct, and you still live at that
3 16 address, please complete and mail the attached postage paid
3 17 card at least ten days before the primary or general election
3 18 and at least eleven days before any other election at which
3 19 you wish to vote. If the information is correct, and you have
3 20 moved within the county, you may update your registration by
3 21 listing your new address on the card and mailing it back. If
3 22 you have moved outside the county, please contact a local
3 23 official in your new area for assistance in registering there.
3 24 If you do not mail in the card, you may be required to show
3 25 identification to prove residency before being allowed to vote
3 26 in (name of county) County. If you do not return the card,
3 27 and you do not vote in some election in (name of county)
3 28 County, Iowa, on or before (date of second general election
3 29 following the date of the notice) your name will be removed
3 30 from the list of registered voters in that county."
3 31 Sec. 6. Section 49.77, subsection 3, Code 2007, is amended
3 32 to read as follows:
3 33 ~~3. A precinct election official shall require any person~~
3 34 ~~whose name does not appear on the election register as an~~
3 35 ~~active voter to show identification. Specific documents which~~
4 1 ~~are acceptable forms of identification shall be prescribed by~~
4 2 ~~the state commissioner.~~
4 3 3. A precinct election official may shall require of that
4 4 the voter unknown to the official, identification upon which
4 5 the voter's signature or mark appears produce for inspection
4 6 valid and current identification. The identification must
4 7 contain a photograph of the voter, the printed name of the
4 8 voter, and a validity expiration date. If identification
4 9 required under this subsection is established to the
4 10 satisfaction of the precinct election officials, the person
4 11 may then be allowed to vote.
4 12 Sec. 7. Section 49.77, subsection 4, unnumbered paragraph
4 13 1, Code 2007, is amended to read as follows:
4 14 A precinct election official shall require any person whose
4 15 name does not appear on the election register as an active
4 16 voter to show identification to prove residency in the
4 17 precinct. Specific documents which are acceptable forms of
4 18 identification under this subsection shall be prescribed by
4 19 the state commissioner. A person whose name does not appear
4 20 on the election register of the precinct in which that person
4 21 claims the right to vote shall not be permitted to vote,
4 22 unless the person affirms that the person is currently
4 23 registered in the county and presents ~~proof of identity~~
4 24 identification to prove residency, or the commissioner informs
4 25 the precinct election officials that an error has occurred and
4 26 that the person is a registered voter of that precinct. If

4 27 the commissioner finds no record of the person's registration
4 28 but the person insists that the person is a registered voter
4 29 of that precinct, the precinct election officials shall allow
4 30 the person to cast a ballot in the manner prescribed by
4 31 section 49.81.
4 32 Sec. 8. Section 49.81, subsection 1, Code 2007, is amended
4 33 to read as follows:
4 34 1. A prospective voter who is prohibited under section
4 35 ~~48A.8, subsection 4, section~~ 49.77, subsection 4, or section
5 1 49.80 from voting except under this section shall be notified
5 2 by the appropriate precinct election official that the voter
5 3 may cast a provisional ballot. If a booth meeting the
5 4 requirement of section 49.25 is not available at that polling
5 5 place, the precinct election officials shall make alternative
5 6 arrangements to insure the challenged voter the opportunity to
5 7 vote in secret. The marked ballot, folded as required by
5 8 section 49.84, shall be delivered to a precinct election
5 9 official who shall immediately seal it in an envelope of the
5 10 type prescribed by subsection 4. The sealed envelope shall be
5 11 deposited in an envelope marked "provisional ballots" and
5 12 shall be considered as having been cast in the special
5 13 precinct established by section 53.20 for purposes of the
5 14 postelection canvass.

5 15 EXPLANATION

5 16 This bill requires that all voters show valid and current
5 17 identification before being allowed to vote at the polls.
5 18 Correspondingly, the bill strikes the requirement that certain
5 19 persons who register by mail and who have not previously voted
5 20 in a federal election in the county of registration must show
5 21 identification when voting for the first time in the county at
5 22 an election with federal offices on the ballot.
5 23 The bill further provides that the valid and current
5 24 identification must contain a photograph of the voter, the
5 25 printed name of the voter, and the validity expiration date of
5 26 the identification.
5 27 The bill also specifies that the requirement in current law
5 28 that a voter show identification if the voter's name does not
5 29 appear on the election register or if the voter did not
5 30 respond to a confirmation card sent by the county commissioner
5 31 of elections is required in order to establish residency in
5 32 the precinct. Current law provides that the secretary of
5 33 state shall provide, by rule, the acceptable forms of
5 34 identification in these circumstances.

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